

Notice of Allowability

Application No.

10/002,278

Examiner

Eileen O'Hara

Applicant(s)

JESSELL ET AL.

Art Unit

1646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

If claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

☒ This communication is responsive to 01 July 2004.

Issue Fee Due: 2/16/05
Publ. Fee Due: 2/16/05

☒ The allowed claim(s) is/are 19, 41 and 42, renumbered as 1-3, respectively.

☒ The drawings filed on 06 December 2003 are accepted by the Examiner.

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

☐ Notice of References Cited (PTO-892)

☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

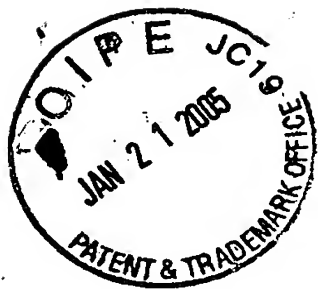
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☐ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____

Lorraine Spector
LORRAINE SPECTOR
PRIMARY EXAMINER



✓ IFW/B

Dkt. 40314-A/JPW/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas M. Jessell et al.

Serial No.: 10/002,278

Examiner: E. O'Hara

Filed : November 2, 2001

Group Art Unit: 1646

For : DORSALIN-1 POLYPEPTIDE AND USES THEREOF

Issue Fee Due: February 16, 2005

Confirmation No.: 3060

1185 Avenue of the Americas
New York, New York 10036
January 18, 2005

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION REQUESTING CORRECTION OF PATENT
OFFICE ERROR WITH RESPECT TO THE TITLE OF THE INVENTION

A Notice of Allowance was issued by the United States Patent and Trademark Office on November 16, 2004 in connection with the above-identified application. Therefore, the issue fee is due on February 16, 2005. Accordingly, this Communication is believed to be timely.

Applicants request that the Patent Office correct the Title for the above-identified invention. Upon receipt of the November 16, 2004 Notice of Allowability for the subject application, a copy of which is attached hereto as **Exhibit A**, applicants' undersigned attorney noticed an error by the Patent Office.

Specifically, the Title of the invention listed on Part B - Fee(s) Transmittal Form is incorrect for the subject

Applicants: Thomas M. Jessell et al.
Serial No.: 10/002,278
Filed: November 2, 2001
Page 2

application.

The Title of the invention should read as follows:

--DORSALIN-1 POLYPEPTIDE AND USES THEREOF--

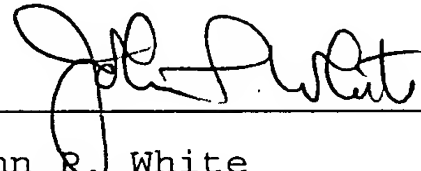
Applicants contend that the correct Title may be found in the Amendment In Response To June 3, 2003 Office Action And Petition For One-Month Extension Of Time, which was filed with the United States Patent and Trademark Office on October 3, 2003. Specifically, applicants direct the Examiner's attention to pages 2 and 15 of the October 3, 2003 Amendment, a copy of which is attached hereto as **Exhibit B**. Accordingly, applicants request that the Title for the subject application be corrected so that the correct Title will appear on the patent which will issue after applicants pay the issue fee due February 16, 2005.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

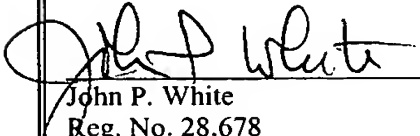
Applicants: Thomas M. Jessell et al.
Serial No.: 10/002,278
Filed: November 2, 2001
Page 3

No fee is deemed necessary in connection with the filing of this Communication. If any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



1/18/05

John P. White
Reg. No. 28,678

Date

John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. No. (212) 278-0400